

Message Text

PAGE 01 STATE 072099
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 INRE-00 NSCE-00 CIAE-00 /026 R

DRAFTED BY EUR/NE:DJDONCHI/JAN
APPROVED BY EUR/NE:RLFUNSETH
EUR:RDVINE (SUBS)
S/S-O:TGMARTIN

-----090150 222135Z /65/53

O 211525Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY OSLO IMMEDIATE
INFO AMEMBASSY MOSCOW PRIORITY
AMEMBASSY BONN PRIORITY
AMEMBASSY PARIS PRIORITY
AMEMBASSY LONDON PRIORITY
USMISSION USNATO PRIORITY

C O N F I D E N T I A L STATE 072099

EXDIS

C O R R E C T E D C O P Y (PARA 12 LINE 10 OMITTED)

E.O. 11652: XGDS-3

TAGS: EFIS, PBOR, UR, NO, SV

SUBJECT: BRIEFING ON NORWEGIAN-SOVIET FISHING DISCUS-
SIONS

REF: (A) STATE 44472; (B) OSLO 1323; (C) OSLO 1235

1. SUMMARY. DEPUTY ASSISTANT SECRETARY VINE RECEIVED
NORWEGIAN PARTICIPANT IN RECENT SOVIET-NORWEGIAN FISHERIES
TALKS, AMBASSADOR HELGE VINDENES, FOR FIRST-HAND BRIEFING
ON RESULTS OF MOSCOW TALKS AS WELL AS NORWEGIAN ASSESSMENT
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OF PLANS TO FURTHER RESTRICT FISHING IN ZONES AROUND SVAL-
BARD. VINDENES FELT THAT THE MOSCOW ROUND INCREASED THE
CHANCES OF THE USSR ABIDING BY NEW REGULATORY FISHERY
MEASURES NORWAY HOPES TO IMPLEMENT AROUND SVALBARD. VINE
STRESSED THE IMPORTANCE FOR NORWAY OF DEALING WITH ALL
SIGNATORIES WHO HAVE RIGHTS IN REGION ON EQUAL, EVEN-HANDED
BASIS TO AVOID IMPRESSION OF ANY SPECIAL RELATIONSHIP WITH
USSR. PRESS GUIDANCE AT PARA 14. END SUMMARY.

2. VINE OPENED DISCUSSION NOTING THAT IN MOST RECENT

CONVERSATION BETWEEN AMBASSADOR LERNER AND FOREIGN MINISTER, FRYDENLUND REFERRED AGAIN TO PRESS LEAKS ABOUT USG POSITION AND US CREDIBILITY (REF C). VINE REITERATED OUR PRACTICE, SPANNING SEVERAL YEARS, OF SPEAKING FRANKLY TO NORWEGIAN OFFICIALS ON ISSUES OF MUTUAL CONCERN IN THE NORTHERN REGION AND INDICATED THAT WE HAVE AVOIDED ANY OPPORTUNITY TO USE PRESS OR PUBLIC DOMAIN TO MAKE OUR POINTS. WE HAVE ALWAYS DEFERRED TO OSLO ON PUBLIC AFFAIRS ASPECT AND DELIBERATELY SO SINCE ISSUES ARE INTERNAL NORWEGIAN POLITICAL PROBLEMS. VINE DECLARED THAT THE RECENT LEAKS DID NOT COME FROM US SOURCES, ADDING THAT WE OBVIOUSLY HAVE NO OBJECTIVE INTEREST IN STIRRING UP DOMESTIC POLITICAL CONTROVERSY ON THE EVE OF THE PARLIAMENTARY DEBATE. VINDENES REPLIED THAT FRYDENLUND'S REFERENCE TO THE NEED TO "BUILD CONFIDENCE" WAS NOT BASED ON ANY BELIEF THAT LEAKS CAME FROM US AUTHORITIES BUT SHOULD BE SEEN AS A CALL FOR POSITIVE ACTION ON BOTH SIDES TO REPAIR DAMAGE. VINDENES CITED FRYDENLUND'S "STRONG" STATEMENT IN PARLIAMENT THAT THERE WAS NO REASON TO SUSPECT LEAKS BY RESPONSIBLE US SOURCES.

3. VINDENES INDICATED HIS PRIMARY PURPOSE IN COMING TO WASHINGTON WAS TO ESTABLISH A MORE PERSONAL RELATIONSHIP
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AND INITIATE BROAD DISCUSSION OF NORTHERN ISSUES WITH HIS COUNTERPARTS IN EUR. HE ACKNOWLEDGED, HOWEVER, THAT MOSCOW TALKS MERIT ATTENTION AND WOULD PROBABLY DOMINATE PRESENT DISCUSSION. VINE SAID US WELCOMES EVERY OPPORTUNITY TO COMPARE NOTES SINCE EVEN SUBTLE CHANGES IN REGION COULD BE CRITICALLY IMPORTANT.

4. IN INTRODUCING FISHERY PROTECTION ZONE (FPZ) TALKS IN MOSCOW, VINDENES, WHO ACCOMPANIED MINISTER EVENSEN, ADMITTED THAT NORWEGIAN AND SOVIET POSITIONS ON PRINCIPLES WERE FAR APART. NORWEGIAN STRATEGY WAS TO AVOID FUTILE DISCUSSION OF PRINCIPLES AND CONCENTRATE ON THE NEED FOR CONCRETE, PRACTICAL MEASURES THAT USSR COULD LIVE WITH WHEN IMPLEMENTED BY NORWEGIAN GOVERNMENT. VINDENES IDENTIFIED THREE MAJOR PROBLEM AREAS THAT AROSE IN DRAFTING OF JOINT COMMUNIQUE. FIRST WAS SOVIET DESIRE TO INCLUDE REFERENCES TO "MUTUAL INTEREST" AND "JOINT MEASURES." NORWEGIAN DELEGATION REJECTED THIS LANGUAGE. IN SECOND INSTANCE, SOVIETS SOUGHT FORMULATIONS THAT WOULD DELAY ESTABLISHMENT OF NEW PROHIBITED ZONES PENDING OUTCOME OF SOVIET-NORWEGIAN SCIENTIFIC CONSULTATIONS TO DETERMINE WHICH WERE BEST AREAS TO CLOSE OFF IN ORDER TO PROTECT JUVENILE FISH. THIS POSITION ALSO REJECTED BY NORWEGIAN DELEGATION. THIRD AREA OF DIFFICULTY WAS REPORTING SYSTEM AND COMMUNIQUE LANGUAGE IS DELIBERATELY VAGUE ON THAT ISSUE. SOVIETS OPPOSED BOTH REQUIREMENT TO REPORT TO NORWEGIAN AUTHORITIES AS WELL AS STATED NORWEGIAN

INTENTION OF SHARING STATISTICAL DATA WITH OTHER CONCERNED NATIONS. VINDENES BELIEVES SOVIET OBJECTIVE WAS DUAL REPORTING -- EVERY VESSEL FISHING IN FPZ'S SHOULD REPORT TO BOTH NORWEGIAN AND SOVIET AUTHORITIES. ONCE AGAIN SOVIET DELEGATION SOUGHT "SPECIAL POSITION" WHICH WAS

OPPOSED BY NORWEGIAN DELEGATION. ACCORDING TO VINDENES, OBSCURE REFERENCE IN COMMUNIQUE ON SHARING DATA WITH "THE OTHER PARTY" IS NOT A LIMITING CLAUSE AND GON FULLY INTENDS CONFIDENTIAL

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TO SHARE DATA WITH OTHER PARTIES. ENFORCEMENT OF REGULATORY MEASURES WAS NOT RAISED SINCE ISSUE WOULD LEAD TO DISCUSSION OF PRINCIPLES AND JURISDICTION, THE KEY AREAS OF DISAGREEMENT BETWEEN NORWAY AND THE SOVIET UNION.

5. EMPHASIS ON JOINT RESPONSIBILITIES AND INTEREST FOUND IN COMMUNIQUE IS NOT NEW, VINDENES INDICATED. NORWAY ACCEPTED THIS LANGUAGE SINCE IT FLOWS FROM LOS SYSTEM OBLIGATING COASTAL STATES TO SHARE AND COOPERATE IN PROTECTION OF RESOURCES IN ZONES UTILIZED BY BOTH NATIONS. THE MUTUAL INTEREST WHICH NORWAY ACCEPTED IS QUITE DISTINCT FROM IMPLEMENTING REGULATORY MEASURES WHICH ARE INDIVIDUAL NATIONAL DECISIONS, ACCORDING TO VINDENES.

6. IN RESPONSE TO QUESTION ON HOW NORWAY WILL PROCEED, VINDENES SAID NORWEGIAN GOVERNMENT PLANS TO GO AHEAD WITH FPZ MEASURES AND THAT AMBASSADOR EVENSEN'S CONSULTATIONS WITH THE EC, MAJOR ALLIED SIGNATORIES AND USSR ARE REGARDED AS SUFFICIENT FOR NORWAY TO INTRODUCE REGULATORY ACTION. VINDENES CONTINUED THAT MAY 1 IS LIKELY TARGET DATE FOR ESTABLISHMENT OF PROHIBITED ZONES ALONG WEST COAST OF SVALBARD AND AROUND BEAR ISLAND (SEE REF A) AND INDICATED THAT NORWEGIAN GOVERNMENT IS CONSIDERING A NEW THIRD ZONE WEST OF SVALBARD UP TO MEDIAN LINE VIS-A-VIS GREENLAND EXTENDING NORTHWARD TO 79 DEGREES 47 MINUTES NORTH LATITUDE. VINDENES SAID IN HIS PERSONAL VIEW THE THIRD ZONE UNDER CONSIDERATION IS LESS CRUCIAL FROM A FISHERIES PERSPECTIVE THAN THE OTHER TWO ZONES AND HE EMPHASIZED IT IS STILL UNCLEAR WHETHER THE THIRD ZONE WILL BE INCLUDED IN FPZ PACKAGE.

7. WHEN ASKED IF HE THOUGHT THE SOVIETS COULD LIVE WITH THE MEASURES THE GON INTENDS TO INTRODUCE MAY 1, VINDENES CONFIDENTIAL

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SAID THAT AS A RESULT OF THE MOSCOW TALKS NORWEGIAN CHANCES OF INTRODUCING THE MEASURES "WITHOUT CONFLICT" HAVE INCREASED, THE ODDS ARE BETTER. HE FURTHER SPECULATED THAT THE GON WOULD HAVE TO REACH A DECISION BY

APRIL 10 IF THE ZONES WERE ACTUALLY TO BE ESTABLISHED BY MAY 1. VINDENES SPOKE OF THE ADDITIONAL PROBLEM OF INTRODUCING NORTH ATLANTIC FISHERIES COMMISSION (NEAFC) REGULATIONS GOVERNING FISH AND NET SIZES. INASMUCH AS THE NEAFC REGULATIONS EXPIRE JULY 1, THE NORWEGIAN GOVERNMENT INTENDS TO INTRODUCE THE NEAFC REGULATIONS INTO THE PROHIBITED ZONES AS NORWEGIAN MEASURES ALSO ON JULY 1. THE NEAFC PROVISIONS WOULD THEREFORE SURVIVE IN IDENTICAL FORM AS NORWEGIAN REGULATIONS.

8. VINE DEFINED PROBLEM CONFRONTING NORWAY AS EXTENT TO WHICH THE GON COULD PROCEED WITHOUT CAUSING UNMANAGEABLE CONTENTION. HE ADDED THAT THE SOVIETS WILL REACT SO LONG AS THEY STAND TO GAIN POLITICALLY AND THERE IS NO WAY OF AVOIDING COMPLICATIONS COMPLETELY. THE CHALLENGE TO NORWAY, VINE CONTINUED, IS TO OPERATE IN A MANNER THAT BEST SERVES NORWEGIAN INTERESTS AS WELL AS THE INTERESTS OF OTHER SIGNATORY NATIONS WHILE PRESERVING A RATIONAL RELATIONSHIP WITH THE USSR.

9. ON THE LIKELIHOOD OF THE USSR ACCEPTING THE NORWEGIAN REQUIREMENT TO REPORT, VINDENES SINGLED OUT THE REPORTING SYSTEM AS THE MOST DIFFICULT ISSUE AND EVEN SPECULATED THAT THE ENFORCEMENT PHASE WOULD PROVE EASIER THAN TRYING TO ESTABLISH A REPORTING SYSTEM WITH THE USSR. FOR THE USSR TO REPORT TO THE NORWEGIAN GOVERNMENT WITHOUT NORWEGIAN FISHERMEN REPORTING TO SOVIET AUTHORITIES IS INCONSISTENT WITH SOVIET PRINCIPLES BUT, ACCORDING TO VINDENES, ONCE SOVIET FISHERMEN BEGIN REPORTING IN PRACTICE THEY HAVE ADHERED TO NORWEGIAN REGULATIONS REGARDLESS OF THE PRINCIPLES INVOLVED. IN THIS CONNECTION, VINDENES NOTED THAT NORWAY EXPECTED THE NORMAL SOVIET CAVEAT THAT REGARD-
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LESS OF WHAT THE USSR DOES, IT WON'T CHANGE THEIR BASIC POSITION. THEN VINDENES CHARACTERIZED NORWEGIAN STRATEGY AS ALLOWING THE USSR TO MAINTAIN ITS POSITION ON PRINCIPLES WHILE ABIDING BY GON REGULATIONS IN THE FPZ. WITH RESPECT TO ENFORCEMENT, VINDENES SAID THAT GON IS CONSIDERING LENIENT ENFORCEMENT SYSTEM DURING INTRODUCTORY PHASE AND VESSELS IN VIOLATION WOULD PROBABLY NOT BE ESCORTED INTO PORT FOR PUNITIVE ACTION ON THE FIRST OFFENSE.

10. VINE OBSERVED THAT THE NORWEGIAN GOVERNMENT ISSUED NO COMMUNIQUE AFTER CONSULTATIONS WITH GERMANS AND BRITISH AND STRESSED THE IMPORTANCE FOR NORWAY TO PAY CLOSE ATTENTION TO SYMBOLISM -- I.E. DEALING WITH EACH OF THE MAJOR FISHERIES NATIONS IN THE SVALBARD AREA IN AN EQUAL MANNER. MOREOVER, THE SOVIETS COULD NOT OBJECT TO NORWEGIAN POLICY OF DEALING EVENHANDEDLY WITH ALL NATIONS WHO HAVE RIGHTS IN THE REGION. THE KEY, VINE STRESSED, WAS TO ELIMINATE ANY IMPRESSION THAT THE SOVIET UNION

ENJOYS A FAVORED POSITION. WHILE ACCEPTING THE POINT, VINDENES DEFENDED THE COMMUNIQUE AS IMPORTANT TO NORWAY BECAUSE IT MENTIONED SPECIAL ZONES, NEAFC REGULATIONS AND THE REPORTING REQUIREMENT. THE FACT THAT THE SOVIET UNION HAS BEEN WILLING TO ACCEPT THE ENUMERATION OF THESE POINTS IN A COMMUNIQUE IS REGARDED BY NORWAY AS A SIGNAL THAT THE USSR CAN LIVE WITH PROPOSED NORWEGIAN PLANS FOR THE FPZ. IN VINDENES' VIEW, THE SOVIET DELEGATION WOULD NOT HAVE AGREED TO THE COMMUNIQUE IF THE RUSSIANS WERE SEEKING A CONFRONTATION OR SHOWDOWN.

11. VINE ASKED WHETHER REFINED AND COLLATED STATISTICAL DATA ON FISHERIES ACTIVITIES IN THE FPZ WOULD BE PLACED IN THE PUBLIC DOMAIN AS IS THE CASE IN THE US. VINDENES REPEATED THE SOVIET POSITION OPPOSING THE DISTRIBUTION OF CONFIDENTIAL

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DATA TO THIRD COUNTRIES BUT RESTATED NORWAY'S INTENTION TO INFORM OTHERS AND NOT PROVIDE STATISTICS EXCLUSIVELY TO THE USSR. THIS POINT WAS MADE CLEAR IN MOSCOW, VINDENES SAID.

12. IN RESPONSE TO A QUESTION ON WHETHER THE NORWEGIANS PLAN TO BRIEF THE OTHER ALLIES ON THE MOSCOW TALKS, VINDENES THOUGHT THAT THE NORWEGIAN GOVERNMENT WOULD PROBABLY CALL IN THE RESPECTIVE AMBASSADORS IN OSLO BUT GAVE ASSURANCES THAT THE ALLIES WOULD BE BRIEFED ONE WAY OR ANOTHER. VINE POINTED OUT THAT THE BRITISH AND GERMANS GRASP THE POLITICAL-STRATEGIC ASPECT DESPITE THE FACT OF THEIR FISHING INTERESTS IN THE REGION. HE STRESSED THE IMPORTANCE FOR NORWAY OF AVOIDING LEGAL THEORIES THAT WOULD

RISK SUBMERGING THE STRATEGIC ISSUES IN COMPLEX LEGAL RHETORIC. VINE SPECULATED THAT IF NORWAY DEMONSTRATED RESTRAINT IN ASSERTING LEGAL THEORIES, THE NORWEGIANS WOULD GET AS MUCH ALLIED SUPPORT AS THEY NEED.

13. VINDENES THOUGHT THAT STARTING FOREIGN RELATIONS COMMITTEE WOULD BE BRIEFED ON A CLASSIFIED BASIS AFTER EASTER BUT OBSERVED THAT THE FOREIGN MINISTER COULD BE ASKED FOR DETAILS OF THE MOSCOW TALKS DURING STARTING'S OPEN QUESTION PERIOD. VINDENES FURTHER NOTED THAT THE ENTIRE ISSUE WAS HIGHLY POLITICIZED AND THE RECENT VOTE ON THE GREY ZONE AGREEMENT REPRESENTED THE FIRST MAJOR FOREIGN POLICY ISSUE DECIDED ALONG STRICTLY PARTY LINES SINCE THE SECOND WORLD WAR (THE VOTE ON COMMON MARKET MEMBERSHIP CROSSED TRADITIONAL PARTY LINES).

14. PRESS ASPECTS: VINE INFORMED VINDENES THAT WE PLANNED NO COMMENT WHATSOEVER TO PRESS AND, AS IN PAST, WE DEFERRED TO GOVERNMENT OF NORWAY ON PUBLIC AFFAIRS

ASPECTS. IF ASKED, WE WOULD ACKNOWLEDGE THAT AMBASSADOR
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VINDENES VISITED WASHINGTON AND DESCRIBE THE VISIT AS AN
OCCASION FOR VINDENES TO MEET HIS COUNTERPARTS RESPONSIBLE
FOR THE SAME REGION AND EXCHANGE VIEWS OF COMMON INTEREST.
IF PRESSED SPECIFICALLY ON WHETHER MOSCOW TALKS WERE DIS-
CUSSED, WE PLAN TO ACKNOWLEDGE THAT THIS WAS ONE OF
SEVERAL MATTERS CONSIDERED. VANCE

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 26 sep 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHERIES, BRIEFING MATERIALS, NEGOTIATIONS, FISHING AGREEMENTS, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 mar 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE072099
Document Source: ADS
Document Unique ID: 00
Drafter: EUR/NE:DJDONCHI/JAN
Enclosure: n/a
Executive Order: 11652 XGDS-3
Errors: n/a
Expiration:
Film Number: D780124-0609, D780134-1182
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197803126/baaafcd0.tel
Line Count: 285
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: de6b5ebb-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: (A) STATE 44472; (B) OSLO 1323; (C) OSLO 1235
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 12 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3166661
Secure: OPEN
Status: NATIVE
Subject: BRIEFING ON NORWEGIAN-SOVIET FISHING DISCUSSIONS
TAGS: EFIS, PBOR, UR, NO, SV
To: OSLO INFO MOSCOW MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/de6b5ebb-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014